

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), and the Senator from Vermont (Mr. JEFFORDS), are necessarily absent.

I further announce that if present and voting, the Senator from Delaware (Mr. BIDEN) would vote "yea."

The PRESIDING OFFICER (Mr. CHAFEE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 135 Ex.]

YEAS—96

Akaka	Dole	Martinez
Allard	Domenici	McCain
Allen	Dorgan	McConnell
Baucus	Durbin	Mikulski
Bayh	Ensign	Murray
Bennett	Enzi	Nelson (FL)
Bingaman	Feingold	Nelson (NE)
Bond	Feinstein	Obama
Boxer	Frist	Pryor
Brownback	Graham	Reed
Bunning	Grassley	Reid
Burns	Gregg	Roberts
Burr	Hagel	Rockefeller
Byrd	Harkin	Salazar
Cantwell	Hatch	Santorum
Carper	Hutchison	Sarbanes
Chafee	Inhofe	Schumer
Chambliss	Inouye	Sessions
Clinton	Isakson	Shelby
Coburn	Johnson	Smith
Cochran	Kennedy	Snowe
Coleman	Kerry	Specter
Collins	Kohl	Stabenow
Conrad	Kyl	Stevens
Cornyn	Landrieu	Sununu
Corzine	Lautenberg	Talent
Craig	Leahy	Thomas
Crapo	Levin	Thune
Dayton	Lieberman	Vitter
DeMint	Lincoln	Voinovich
DeWine	Lott	Warner
Dodd	Lugar	Wyden

NOT VOTING—4

Alexander	Jeffords
Biden	Murkowski

The nomination was confirmed.

The PRESIDING OFFICER. The President will be immediately notified of the Senate's action.

The majority leader.

ORDER OF PROCEDURE

Mr. FRIST. Mr. President, pursuant to the order of May 24, I ask unanimous consent that at 2:30 p.m. on Monday, June 13, the Senate proceed to the Griffith nomination as provided under the order; provided further that following the use or yielding back of time, the Senate resume legislative session and the vote occur on the confirmation of the nomination at 10 a.m. on Tuesday, June 14.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. I ask unanimous consent that on Tuesday, immediately following the vote on the Griffith nomination, the Senate proceed to the consideration of H.R. 6, the Energy bill; provided further that the chairman be recognized in order to offer the Senate-reported bill as a substitute amendment, the amendment be agreed to and considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. I ask unanimous consent that at 6:30 p.m. on Monday, June 13, the Judiciary Committee be discharged from further consideration of S. Res. 39 and the Senate proceed to its immediate consideration. I further ask unanimous consent there be 3 hours for debate with the time equally divided and controlled between Senators LANDRIEU and ALLEN or their designees, and upon the use or yielding back of time, the Senate proceed to a vote on the adoption of the resolution without intervening action or debate. I ask unanimous consent that upon adoption, the preamble then be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER (Mr. ISAKSON). Without objection, it is so ordered.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

FUNDING FOR HOMELAND SECURITY

Mr. GREGG. Mr. President, I rise to speak a little bit about the Department of Homeland Security. I have the good fortune to chair their appropriations committee, and we will be marking up the appropriations bill relative to that agency next week, hopefully, if we can straighten out the proper allocations for funding within the budget, which I expect to happen today under the leadership of Chairman COCHRAN.

The Homeland Security Department is a big one because, of course, this goes to the essence of how we protect ourselves as a nation, how we make sure that we are ready should we be attacked, and how we, hopefully, make it possible for us to avoid such an attack. Regrettably, the Department of Homeland Security has been thrown together and has had some problems as it has tried to shake out in the post-9/11 world.

In fact, the problems have been so extreme that almost a day does not go by that we do not see an inspector general report or a GAO report outlining some function of that agency which simply is not working correctly. Today, there was a report where the inspector general found that there were no backup computer systems within the Department for some of the critical agencies that are involved, but that is only one of literally a stack of GAO and inspector general reports which probably is 2 or 3 feet high.

There is a lot to do in this agency. Certainly, I congratulate the President on bringing aboard Secretary Chertoff. I know he is a hard-driving and com-

mitted individual, and I know he is going to try to put together programs which will get that agency focused and functioning in a manner in which the American people expect.

As we look at the agency, however, I do think we have to be driven by a certain theory or theme, a set of policies. The first is that we address threat first and that we start with the highest threats as being the first threats which we should focus on. Of course, the highest threats are weapons of mass destruction coming into the country or being developed in the country which would be used against American citizens.

Those weapons involve things such as chemical or biological weapons or potentially some sort of nuclear device. So we must prepare ourselves and focus that Department on making sure that it is ready to deal with those types of threats.

Some of the responsibility for making ourselves adequately prepared in the area, especially biologics, falls outside the Department and falls with the CDC or HHS—the Health and Human Services Department—which have responsibility for developing vaccines. NIH, for example, National Institutes of Health, has the responsibility for making sure that we are on course to bring on line adequate responses should we be attacked with a biological weapon such as anthrax, a plague or botulism.

The Department still has a huge role in this area, and it obviously has a role in the nuclear area of detection and making sure that we are ready to try to anticipate and stop a weapon of that sort. Below that level of addressing the weapons of mass destruction issues, we have to look at the other areas of threat and how we as a government are structured to handle it.

There was a report today that the President of the United States, in a meeting with the leadership of the House at least, and maybe the Senate, said that he thought we should be focusing on border security as a priority in the area of maintaining our security as a nation. I think that is absolutely true. Most Americans today wonder why there are still literally tens of thousands, maybe hundreds of thousands of people coming across our borders, entering this country illegally.

A lot of other Americans wonder why today there is so much happening in the area of people coming into the country without us knowing what their purposes are or what their potential threat is as individuals. There is concern about our capacity to screen folks who are coming into this Nation who may have as one of their purposes to do us harm. We need to strengthen our ability to stay on top of this situation.

There is significant concern about what is happening within our ports and whether we are putting in place systems which adequately review and give us the capacity to address what might be in a container in one of the hundreds of thousands of containers that